Western European Union and the EU Army.pdf

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WESTERN EUROPEAN UNION and the EU ARMY

Roddy Williams

1. The Historical Background

1948

WEU was established by the Brussels Treaty (the Treaty on Economic, Social and Cultural Collaboration and Collective Self-Defence) signed at Brussels on 17 March 1948 by Belgium, Netherlands, Luxembourg, France and United Kingdom. The treaty was amended by the Protocol signed at Paris on 23 October 1954, which modified and completed it.

Considered as a response against a potential Soviet threat over Central Europe, the treaty is the first attempt for some European ideals and a commitment to mutual European defence.

By September-1948, military cooperation was initiated by adopting a plan for common defence.
• **1949**

The United States and Canada were reluctant to participate in European security arrangements. Negotiations between these powers led to the signature of the North Atlantic Treaty in 1949. (Article 5 is important).

The need to back up the commitments of the Washington Treaty with appropriate political and military structures led to the creation of the North Atlantic Treaty Organisation (NATO).

**1950**

The Brussels Treaty Powers decided to merge their military organisation to NATO (which had become the central element in the West European and North Atlantic security system.)
In October-1950, desires and efforts to integrate the Federal Republic of Germany into the emerging security structures prompted France to propose the creation of a European Army which would operate within the framework of the Alliance.

1952
In May, France’s proposal led to the signature of the treaty establishing a European Defence Community (EDC).

1954
Since the French National Assembly refused to ratify the treaty, EDC was a failure.
The failure of the EDC caused to formulate an alternative way to integrate the Federal Republic of Germany into the Western security system.

In September, the Brussels Treaty powers, the Federal Republic of Germany, Italy, the US and Canada convened in London.

In October, the conclusions of the conference were formalised by the Paris Agreements and signed. By this treaty, the Brussels Treaty was amended and Western European Union (WEU) was created as a new international organisation. Federal Republic of Germany and Italy were provided to join.
1955

3 main objectives clearly stated in Paris Agreements are:

To create in Western Europe a firm basis for European economic recovery;

To afford assistance to each other in resisting any policy of aggression;

To promote the unity and encourage the progressive integration of Europe.
1955 – 1973 era

This era can be considered as a time period in which WEU played an important role by promoting the development of consultation and co-operation in Western Europe, in the aftermath of the Second World War. It permitted:

- the integration of the Federal Republic of Germany into the Atlantic Alliance;
- the restoration of confidence among Western European countries by assuming responsibilities for arms control;
- the settlement of the Saar problem;
- consultation between the European Community founding Member States and the United Kingdom.
1973-1984 era

This was the era in which the activities of WEU as an intergovernmental organization gradually slowed down.

The Agency for the Control of Armaments and the Standing Armaments Committee continued their work. WEU’s economic, social and cultural roles had been taken over by the OEEC (Organisation of European Economic Cooperation) and the Council of Europe. The WEU Council’s political activities lost much of their relevance with the development of European Political Co-operation.

During the following years, the political and institutional dialogue between the Council and the Assembly made a significant contribution to the reflection on European security and defence requirements.
1984-1989 era

The early 1980s witnessed a revival of the debate on European security. European Political Co-operation (EPC) could not be extended beyond the economic aspects of security issues. The failure of the Genscher-Colombo initiative in November 1981, whose aim was to extend the EPC’s sphere of competence to security and defence questions, prompted the countries in favour to seek another framework of consultation. WEU was the obvious choice.

A preliminary joint meeting of the Foreign and Defence Ministers within the WEU framework was held in Rome on 26-27 October 1984. The founding text of WEU’s reactivation (The Rome Declaration) was adopted. Work on the definition of a European security identity and the gradual harmonisation of its members’ defence policies were among the stated objectives. Ministers recognised the "continuing necessity to strengthen western security, and that better utilization of WEU would not only contribute to the security of Western Europe but also to an improvement in the common defence of all the countries of the Atlantic Alliance".
The Rome Declaration reaffirmed that the WEU Council could – pursuant to Article VIII (3) of the modified Brussels Treaty – consider the implications for Europe of crises in other regions of the world.

1987 - The Hague Platform

The negotiations between the US and the USSR on the withdrawal of intermediate nuclear forces highlighted the need for even closer European consultation on defence. A report was written by the WEU Council and its Special Working Group focusing on European security conditions and criteria and on the specific responsibilities of Europeans for their defence within the Atlantic Alliance.
In October-1987, a "Platform on European Security Interests" was adopted by the WEU Ministerial Council. This Hague Platform also set out general guidelines for WEU’s future programme of work. Its preamble stated:

"We recall our commitment to build a European Union in accordance with the Single European Act, which we all signed as Members of the European Community. We are convinced that the construction of an integrated Europe will remain incomplete as long as it does not include security and defence."

Stressing that the security of the Alliance was indivisible, Ministers expressed their resolve "to strengthen the European pillar of the Alliance".
In this meeting, it was decided that negotiations should be opened with Spain and Portugal. They became full members of WEU on 27 March 1990.

In summer 1988 Turkey, and in December 1988 Greece joined the WEU.
(a) It is a treaty (the modified Brussels Treaty)

The Brussels Treaty Organisation – as it was then called – provided for collective self-defence and economic, social and cultural collaboration between its signatories. On 23 October 1954, the Brussels Treaty was modified to include the Federal Republic of Germany and Italy, thus creating Western European Union. The aims stated in the preamble were:

"to afford assistance to each other in resisting any policy of aggression"
"to promote unity and to encourage the progressive integration of Europe".

Its two most important provisions are contained in Articles V and VIII.3:
**Article 5:** "If any of the High Contracting Parties should be the object of an armed attack in Europe, the other High Contracting Parties will, in accordance with the provisions of Article 51 of the Charter of the United Nations, afford the Party so attacked all military and other aid and assistance in their power." (Article V)

**Article 8. 3:** “At the request of any of the High Contracting Parties, the Council shall be immediately convened in order to permit them to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability."
(b) **A Council** which can still meet if and as necessary.
Since July 2001 decisions have been taken by written procedure (for example the creation of a Secretariat-General Administrative Service in Paris and approval of the budgets).

No ministerial Councils have been convened since Marseille (November 2000).
Theoretically, Council can still meet:
- at 21, including Associate Members plus Observers;
- at 28, i.e. with Associate Partners.

The transfer of the crisis management functions to the European Union has had no impact on **WEU membership**.
Following a decision taken on 14 June 2001, the Secretary-General stated during the 1352nd meeting of the Council of Western European Union on 28 June 2001 that, with regard to the period from 1 January 2002, the Member States deemed it unnecessary, in present and foreseeable circumstances, to make any formal change to the statuses of non-full members. Therefore:
• Associate Members, Observers and Associate Partners continue to nominate representatives to the WEU Council;

• the possibility of Council or working group meetings and/or circulation of documents at 21 or 28 remains (e.g. for notation of Western European Armaments Group/Western European Armaments Organisation business, or for business related to the WEU Assembly requiring specific input from non-full members owing to the participation of their parliamentarians in the WEU Assembly);

• the security agreements between WEU and non-full member countries are maintained;

• from 2002, no further financial contributions to WEU budgets are requested from the non-full members.
There is no change with regard to WEAG and WEAO, notably with respect to the budgetary arrangements applicable to those armaments cooperation bodies.

The minutes of that 1352nd Council meeting including the statement by the Secretary-General were formally approved on 29 August 2001. Council may meet at 10 (Member States) for management purposes.

The Permanent Council last met at the level of Heads of Delegation on 28 May 2002.

If necessary, the Council Working Group may be reactivated to prepare a Council meeting.

Two Council working groups remain active and have held meetings since July 2001:

- The Budget and Organisation Committee
- An ad hoc group for more specific administrative matters.
A Secretariat-General with residual functions, i.e. other than related to crisis management which is now the remit of the European Union. The Secretary-General is Dr Javier Solana, High Representative for the CFSP and Secretary-General of the Council of the EU.

The residual functions of the restructured WEU mainly relate to:

- the modified Brussels Treaty: Article V, Article IX: institutional dialogue with the Assembly;
- the administrative, financial and linguistic support to the WEU armaments cooperation bodies (WEAG and WEAO Research Cell);
- the reorganisation and future opening to the public of the Archives;
- the management of pensions.
3. Membership and the Organization of the WEU

- WEU today consists of 10 members, 6 associate members, 5 observers and 7 associate partners.

### List of 28 Delegations

<table>
<thead>
<tr>
<th>10 Member States *</th>
<th>(modified Brussels Treaty – 1954)</th>
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<tbody>
<tr>
<td>(also members of the EU and NATO)</td>
<td></td>
</tr>
<tr>
<td>Belgium</td>
<td>Luxembourg</td>
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<tr>
<td>France</td>
<td>Netherlands</td>
</tr>
<tr>
<td>Germany</td>
<td>Portugal (1990)</td>
</tr>
<tr>
<td>Italy</td>
<td>United Kingdom</td>
</tr>
</tbody>
</table>
• Denmark is also a member of NATO.

• *Following a decision taken on 14 June 2001, the Secretary-General stated during the 1352nd meeting of the Council of Western European Union on 28 June 2001 that, with regard to the period from 1 January 2002, the Member States deemed it unnecessary, in present and foreseeable circumstances, to make any formal change to the statuses of non-full members.

| 6 Associate Members *  
| (Rome – 1992)  
| (also members of NATO) |
|-----------------|-----------------|
| Czech Republic (1999) | Norway |
| Iceland | Turkey |

| 5 Observers *  
| (Rome – 1992)  
<p>| (also members of the EU) |
|-----------------|-----------------|
| Austria (1995) | Ireland |
| Denmark* | Sweden (1995) |
| Finland (1995) |</p>
<table>
<thead>
<tr>
<th>Bulgaria</th>
<th>Romania</th>
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<tr>
<td>Estonia</td>
<td>Slovakia</td>
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<tr>
<td>Latvia</td>
<td>Slovenia (1996)</td>
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<tr>
<td>Lithuania</td>
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Sequence of EU Presidencies and WEU Presidencies
Pursuant to the Council decision which came into effect on
1 January 1999

<table>
<thead>
<tr>
<th>Year</th>
<th>Semester</th>
<th>WEU</th>
<th>EU</th>
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<tbody>
<tr>
<td>1999</td>
<td>I</td>
<td>Germany</td>
<td>Germany</td>
</tr>
<tr>
<td></td>
<td>II</td>
<td>Luxembourg</td>
<td>Finland</td>
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<tr>
<td>2000</td>
<td>I</td>
<td>Portugal</td>
<td>Portugal</td>
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<tr>
<td></td>
<td>II</td>
<td>France</td>
<td>France</td>
</tr>
<tr>
<td>2001</td>
<td>I</td>
<td>Netherlands</td>
<td>Sweden</td>
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<td></td>
<td>II</td>
<td>Belgium</td>
<td>Belgium</td>
</tr>
<tr>
<td>2002</td>
<td>I</td>
<td>Spain</td>
<td>Spain</td>
</tr>
<tr>
<td></td>
<td>II</td>
<td>Portugal</td>
<td>Denmark</td>
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<tr>
<td>Year</td>
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<td>Second</td>
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<tr>
<td>2003</td>
<td>Greece</td>
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<td>Italy</td>
<td>Italy</td>
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<tr>
<td>2004</td>
<td>Spain</td>
<td>Ireland</td>
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<td></td>
<td>Netherlands</td>
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<tr>
<td>2005</td>
<td>Luxembourg</td>
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<td></td>
<td>United Kingdom</td>
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<tr>
<td>2006</td>
<td>United Kingdom</td>
<td>Austria</td>
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<td></td>
<td>Belgium</td>
<td>Finland</td>
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</tr>
</tbody>
</table>
Dr. Javier Solana Madariaga is the Secretary-General of Western European Union. He was born in Madrid on 14 July 1942. He has doctorate in physics - Fulbright scholar at several American universities. He is professor of solid-state physics at Madrid Complutense University, author of over thirty publications in the field. He joined the Spanish Socialist Party in 1964 and is a member of parliament since 1977.
He was a Spanish Cabinet Minister from 1982 to 1995 without interruption:
- December 1982 - July 1988: He worked as Minister for Culture; simultaneously, acted as Government Spokesman from July 1985 to July 1988
- July 1988 - July 1992: He was Minister for Education and Science
- December 1995 - October 1999: Secretary General of NATO
- Since 18 October 1999: Secretary-General of the Council of the European Union / High Representative for the Common Foreign and Security Policy
- Since 25 November 1999, Secretary-General of Western European Union (WEU)
- Since 12 July 2004, Head of the European Defence Agency (EDA)
ARTICLE I
Convinced of the close community of their interests and of the necessity of uniting in order to promote the economic recovery of Europe, the High Contracting Parties will so organise and co-ordinate their economic activities as to produce the best possible results, by the elimination of conflict in their economic policies, the co-ordination of production and the development of commercial exchanges.

The co-operation provided for in the preceding paragraph, which will be effected through the Council referred to in Article VIII, as well as through other bodies, shall not involve any duplication of, or prejudice to, the work of other economic organisations in which the High Contracting Parties are or may be represented but shall on the contrary assist the work of those organisations.
• **ARTICLE II**

The High Contracting Parties will make every effort in common, both by direct consultation and in specialised agencies, to promote the attainment of a higher standard of living by their peoples and to develop on corresponding lines the social and other related services of their countries. The High Contracting Parties will consult with the object of achieving the earliest possible application of recommendations of immediate practical interest, relating to social matters, adopted with their approval in the specialised agencies. They will endeavour to conclude as soon as possible conventions with each other in the sphere of social security.
• **ARTICLE III**
  The High Contracting Parties will make every effort in common to lead their peoples towards a better understanding of the principles which form the basis of their common civilisation and to promote cultural exchanges by conventions between themselves or by other means.

• **ARTICLE IV**
  In the execution of the Treaty, the High Contracting Parties and any Organs established by Them under the Treaty shall work in close co-operation with the North Atlantic Treaty Organisation. Recognising the undesirability of duplicating the military staffs of NATO, the Council and its Agency will rely on the appropriate military authorities of NATO for information and advice on military matters.
• **ARTICLE V**
If any of the High Contracting Parties should be the object of an armed attack in Europe, the other High Contracting Parties will, in accordance with the provisions of Article 51 of the Charter of the United Nations, afford the Party so attacked all the military and other aid and assistance in their power.

• **ARTICLE VI**
All measures taken as a result of the preceding Article shall be immediately reported to the Security Council. They shall be terminated as soon as the Security Council has taken the measures necessary to maintain or restore international peace and security. The present Treaty does not prejudice in any way the obligations of the High Contracting Parties under the provisions of the Charter of the United Nations. It shall not be interpreted as affecting in any way the authority and responsibility of the Security Council under the Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.
• **ARTICLE VII**
The High Contracting Parties declare, each so far as he is concerned, that none of the international engagements now in force between him and any other of the High Contracting Parties or any third State is in conflict with the provisions of the present Treaty.
None of the High Contracting Parties will conclude any alliance or participate in any coalition directed against any other of the High Contracting Parties.

• **ARTICLE VIII**
1. For the purposes of strengthening peace and security and of promoting unity and of encouraging the progressive integration of Europe and closer co-operation between Them and with other European organisations, the High Contracting Parties to the Brussels Treaty shall create a Council to consider matters concerning the execution of this Treaty and of its Protocols and their Annexes.
• 2. This Council shall be known as the “Council of Western European Union”; it shall be so organised as to be able to exercise its functions continuously; it shall set up such subsidiary bodies as may be considered necessary: in particular it shall establish immediately an Agency for the Control of Armaments whose functions are defined in Protocol No. IV.

• 3. At the request of any of the High Contracting Parties the Council shall be immediately convened in order to permit Them to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability.

• 4. The Council shall decide by unanimous vote questions for which no other voting procedure has been or may be agreed. In the cases provided for in Protocols II, III and IV it will follow the various voting procedures, unanimity, two-thirds majority, simple majority, laid down therein. It will decide by simple majority questions submitted to it by the Agency for the Control of Armaments.
• **ARTICLE IX**

The Council of Western European Union shall make an annual report on its activities and in particular concerning the control of armaments to an Assembly composed of representatives of the Brussels Treaty Powers to the Consultative Assembly of the Council of Europe.

• **ARTICLE X**

In pursuance of their determination to settle disputes only by peaceful means, the High Contracting Parties will apply to disputes between themselves the following provisions:

The High Contracting Parties will, while the present Treaty remains in force, settle all disputes falling within the scope of Article 36, paragraph 2, of the Statute of the International Court of Justice, by referring them to the Court, subject only, in the case of each of them, to any reservation already made by that Party when accepting this clause for compulsory jurisdiction to the extent that that Party may maintain the reservation.
In addition, the High Contracting Parties will submit to conciliation all disputes outside the scope of Article 36, paragraph 2, of the Statute of the International Court of Justice. In the case of a mixed dispute involving both questions for which conciliation is appropriate and other questions for which judicial settlement is appropriate, any Party to the dispute shall have the right to insist that the judicial settlement of the legal questions shall precede conciliation. The preceding provisions of this Article in no way affect the application of relevant provisions or agreements prescribing some other method of pacific settlement.

**ARTICLE XI**

The High Contracting Parties may, by agreement, invite any other State to accede to the present Treaty on conditions to be agreed between them and the State so invited. Any State so invited may become a Party to the Treaty by depositing an instrument of accession with the Belgian Government. The Belgian Government will inform each of the High Contracting Parties of the deposit of each instrument of accession.
ARTICLE XII

The present Treaty shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Belgian Government. It shall enter into force on the date of the deposit of the last instrument of ratification and shall thereafter remain in force for fifty years. After the expiry of the period of fifty years, each of the High Contracting Parties shall have the right to cease to be a party thereto provided that he shall have previously given one year’s notice of denunciation to the Belgian Government. The Belgian Government shall inform the Governments of the other High Contracting Parties of the deposit of each instrument of ratification and of each notice of denunciation.
Background References

• 1954 Paris Agreements:

• **ARTICLE I**

• The Federal Republic of Germany and the Italian Republic hereby accede to the Treaty as modified and completed by the present Protocol. The High Contracting Parties to the present Protocol consider the Protocol on Forces of Western European Union (hereinafter referred to as Protocol No. II), the Protocol on the Control of Armaments and its Annexes (hereinafter referred to as Protocol No. III), and the Protocol on the Agency of Western European Union for the Control of Armaments (hereinafter referred to as Protocol No. IV) to be an integral part of the present Protocol.
• **ARTICLE II**
  The sub-paragraph of the preamble to the Treaty: "to take such steps as may be held necessary in the event of renewal by Germany of a policy of aggression" shall be modified to read: "to promote the unity and to encourage the progressive integration of Europe".
  The opening words of the second paragraph of Article I shall read: "The co-operation provided for in the preceding paragraph, which will be effected through the Council referred to in Article VIII ...".

• **ARTICLE III**
  The following new Article shall be inserted in the Treaty as Article IV: "In the execution of the Treaty the High Contracting Parties and any organs established by Them under the Treaty shall work in close co-operation with the North Atlantic Treaty Organisation. "Recognising the undesirability of duplicating the military staffs of NATO, the Council and its Agency will rely on the appropriate Military Authorities of NATO for information and advice on military matters". Articles IV, V, VI and VII of the Treaty will become respectively Articles V, VI, VII and VIII."
• **ARTICLE IV**
• Article VIII of the Treaty (formerly Article VII) shall be modified to read as follows:
• «For the purposes of strengthening peace and security and of promoting unity and of encouraging the progressive integration of Europe and closer co-operation between Them and with other European organisations, the High Contracting Parties to the Brussels Treaty shall create a Council to consider matters concerning the execution of this Treaty and of its Protocols and their Annexes.
• «This Council shall be known as the 'Council of Western European Union'; it shall be so organised as to be able to exercise its functions continuously; it shall set up such subsidiary bodies as may be considered necessary: in particular, it shall establish immediately an Agency for the Control of Armaments whose functions are defined in Protocol No. IV.
«At the request of any of the High Contracting Parties the Council shall be immediately convened in order to permit Them to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability.

«The Council shall decide by unanimous vote questions for which no other voting procedure has been or may be agreed. In the cases provided for in Protocols II, III and IV it will follow the various voting procedures, unanimity, two-thirds majority, simple majority, laid down therein. It will decide by simple majority questions submitted to it by the Agency for the Control of Armaments.»

ARTICLE V

A new Article shall be inserted in the Treaty as Article IX: "The Council of Western European Union shall make an Annual Report on its activities and in particular concerning the control of armaments to an Assembly composed of representatives of the Brussels Treaty Powers to the Consultative Assembly of the Council of Europe". The Articles VIII, IX and X of the Treaty shall become respectively Articles X, XI and XII
ARTICLE VI

The present Protocol and other Protocols listed in Article I above shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Belgian Government. They shall enter into force when all instruments of ratification of the present Protocol have been deposited with the Belgian Government and the instrument of accession of the Federal Republic of Germany to the North Atlantic Treaty has been deposited with the Government of the United States of America. The Belgian Government shall inform the Governments of the other High Contracting Parties and the Government of the United States of America of the deposit of each instrument of ratification. In witness whereof the above-mentioned Plenipotentiaries have signed the present Protocol and have affixed thereto their seals. Done at Paris this twenty-third day of October, 1954, in two texts, in the English and French languages, each text being equally authoritative in a single copy which shall remain deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other signatories.
• For Belgium:
  – (L.S.) P.-H. SPAAK.

• For France:
  – (L.S.) P. MENDÈS-FRANCE.

• For the Federal Republic of Germany:
  – (L.S.) ADENAUER.

• For Italy:
  – (L.S.) G. MARTINO.

• For Luxembourg:
  – (L.S.) JOS. BECH.

• For the Netherlands:
  – (L.S.) J.W. BEYEN.

• For the United Kingdom of Great Britain and Northern Ireland:
  – (L.S.) ANTHONY EDEN.
B. Brussels Treaty

The Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence,

Signed at Brussels on 17 March 1948

[This Treaty entered into force on 25 August 1948]

ARTICLE I

Convinced of the close community of their interests and of the necessity of uniting in order to promote the economic recovery of Europe, the High Contracting Parties will so organize and co-ordinate their economic activities as to produce the best possible results, by the elimination of conflict in their economic policies, the co-ordination of production and the development of commercial exchanges.
• The co-operation provided for in the preceding paragraph, which will be effected through the Consultative Council referred to in Article VII as well as through other bodies, shall not involve any duplication of, or prejudice to, the work of other economic organizations in which the High Contracting Parties are or may be represented but shall on the contrary assist the work of those organizations.

• **ARTICLE II**

• The High Contracting Parties will make every effort in common, both by direct consultation and in specialized agencies, to promote the attainment of a higher standard of living by their peoples and to develop on corresponding lines the social and other related services of their countries.

• The High Contracting Parties will consult with the object of achieving the earliest possible application of recommendations of immediate practical interest, relating to social matters, adopted with their approval in the specialized agencies. They will endeavour to conclude as soon as possible conventions with each other in the sphere of social security.
• **ARTICLE III**
• The High Contracting Parties will make every effort in common to lead their peoples towards a better understanding of the principles which form the basis of their common civilization and to promote cultural exchanges by conventions between themselves or by other means.

• **ARTICLE IV**
• If any of the High Contracting Parties should be the object of an armed attack in Europe, the other High Contracting Parties will, in accordance with the provisions of Article 51 of the Charter of the United Nations, afford the Party so attacked all the military and other aid and assistance in their power.
• **ARTICLE V**
  
  All measures taken as a result of the preceding Article shall be immediately reported to the Security Council. They shall be terminated as soon as the Security Council has taken the measures necessary to maintain or restore international peace and security. The present Treaty does not prejudice in any way the obligations of the High Contracting Parties under the provisions of the Charter of the United Nations. It shall not be interpreted as affecting in any way the authority and responsibility of the Security Council under the Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

• **ARTICLE VI**
  
  The High Contracting Parties declare, each so far as he is concerned, that none of the international engagements now in force between him and any other of the High Contracting Parties or any third State is in conflict with the provisions of the present Treaty. None of the High Contracting Parties will conclude any alliance or participate in any coalition directed against any other of the High Contracting Parties.
• **ARTICLE VII**

• For the purpose of consulting together on all the questions dealt with in the present Treaty, the High Contracting Parties will create a Consultative Council, which shall be so organized as to be able to exercise its functions continuously. The Council shall meet at such times as it shall deem fit. At the request of any of the High Contracting Parties, the Council shall be immediately convened in order to permit the High Contracting Parties to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise; with regard to the attitude to be adopted and the steps to be taken in case of a renewal by Germany of an aggressive policy; or with regard to any situation constituting a danger to economic stability.
• **ARTICLE VIII**

In pursuance of their determination to settle disputes only by peaceful means, the High Contracting Parties will apply to disputes between themselves the following provisions:

The High Contracting Parties will, while the present Treaty remains in force, settle all disputes falling within the scope of Article 36, paragraph 2, of the Statute of the International Court of Justice by referring them to the Court, subject only, in the case of each of them, to any reservation already made by that party when accepting this clause for compulsory jurisdiction to the extent that that Party may maintain the reservation.

In addition, the High Contracting Parties will submit to conciliation all disputes outside the scope of Article 36, paragraph 2, of the Statute of the International Court of Justice.

In the case of a mixed dispute involving both questions for which conciliation is appropriate and other questions for which judicial settlement is appropriate, any Party to the dispute shall have the right to insist that the judicial settlement of the legal questions shall precede conciliation.

The preceding provisions of this Article in no way affect the application of relevant provisions or agreements prescribing some other method of pacific settlement.
• **ARTICLE IX**
  The High Contracting Parties may, by agreement, invite any other State to accede to the present Treaty on conditions to be agreed between them and the State so invited.
  Any State so invited may become a Party to the Treaty by depositing an instrument of accession with the Belgian Government. The Belgian Government will inform each of the High Contracting Parties of the deposit of each instrument of accession.

• **ARTICLE X**
  The present Treaty shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Belgian Government. It shall enter into force on the date of the deposit of the last instrument of ratification and shall thereafter remain in force for fifty years.
After the expiry of the period of fifty years, each of the High Contracting Parties shall have the right to cease to be a party thereto provided that he shall have previously given one year's notice of denunciation to the Belgian Government. The Belgian Government shall inform the Governments of the other High Contracting Parties of the deposit of each instrument of ratification and of each notice of denunciation.

In witness whereof, the above-mentioned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done at Brussels, this seventeenth day of March 1948, in English and French, each text being equally authentic, in a single copy which shall remain deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other signatories.
• **For Belgium:**
  – (L.S.) P.H. SPAAK.
  – (L.S.) G. EYSKENS.

• **For France:**
  – (L.S.) BIDAULT.
  – (L.S.) J. de HAUTECLOCQUE.

• **For Luxembourg:**
  – (L.S.) Jos. BECH.
  – (L.S.) ROBERT ALS.

• **For the Netherlands:**
  – (L.S.) W. van BOETZELAER.
  – (L.S.) van HARINXMA thoe SLOOTEN.

• **For the United Kingdom of Great Britain and Northern Ireland:**
  – (L.S.) ERNEST BEVIN.
  – (L.S.) GEORGE RENDEL.
C. Nine-power Conference Documents

28 September - 3 October 1954

The Final Act of the Nine-Power Conference, held in London between 28 September and 3 October 1954 *Annex I*

Draft Declaration inviting the Federal Republic of Germany and Italy to Accede to the Brussels Treaty

*Annex II*

A. Statement by the United States Secretary of State (the Hon. John Foster Dulles) at the Fourth Plenary Meeting
B. Statement by the United Kingdom Secretary of State for Foreign Affairs (the Right Hon. Anthony Eden, MP), at the Fourth Plenary Meeting
C. Statement by the Canadian Minister for External Affairs (the Hon. Lester Pearson) at the Fourth Plenary Meeting

*Annex III*

Conference Paper on "A German Defence Contribution and Arrangements to Apply to SACEUR's Forces on the Continent"
• **D. Other Documents**

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11 May 1955

• Agreement on the Status of Western European Union, National Representatives and International Staff, signed at Paris on 11 May 1955

*Annexes*

– Declaration by the Governments of Belgium, Luxembourg and the Netherlands

– Declaration by the Government of Italy

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10 March 1955

• Message sent by the President of the United States of America to the Governments of Belgium, France, the Federal Republic of Germany, Italy, Luxembourg, the Netherlands, and the United Kingdom
Operational Role of WEU

- Joint WEU Actions in the Gulf (1988-1990)
  - Joint WEU actions in the Gulf were undertaken in accordance with Article VIII (3) of the modified Brussels Treaty, which states that "At the request of any of the High Contracting Parties the Council shall be immediately convened in order to permit them to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability".
  - In 1987 and 1988, following the laying of mines in the Persian Gulf during the Iran-Iraq war, WEU Member States reacted together to this threat to freedom of navigation. Minesweepers despatched by WEU countries helped secure free movement in international waters. "Operation Cleansweep" helped to complete the clearance of a 300-mile sea lane from the Strait of Hormuz, and was the first instance of a concerted action in WEU.
During the Gulf War, WEU Ministers decided to co-ordinate their operations, with the aim of implementing and enforcing United Nations Resolution 661. At their meeting in Paris on 21 August 1990, Ministers stressed that co-ordination within WEU should facilitate co-operation with the forces of other countries in the region, including those of the United States.

The co-ordination mechanisms approved by WEU Member States in 1988 were reactivated and extended. An ad hoc group of representatives of Foreign and Defence Ministers was made responsible for co-ordination in the capitals and in the operational zone. A meeting of the Chiefs of Defence Staff (CHODS) was held with the aim of co-ordinating naval operations to enforce the embargo on goods. The Permanent Council, sitting in London, monitored developments in the situation and met as required.
After the cessation of hostilities, WEU continued its mission of coordinating mine-clearance operations in Gulf waters. It also contributed to the humanitarian actions for Kurdish refugees in Northern Iraq.

WEU/NATO Operation Sharp Guard in the Adriatic

In July 1992, the WEU Ministerial Council decided that WEU naval forces would participate in monitoring the embargo against former Yugoslavia in the Adriatic. NATO was also conducting its own operation at the time.

On 8 June 1993, the WEU and NATO Councils met to approve a combined concept for a joint operation in support of United Nations Security Council Resolution 820. The agreement established a unified command for "Operation Sharp Guard", which was to begin on 15 June 1993.

In the course of that operation, WEU deployed four ships and some six maritime patrol and early warning aircraft. A small WEU staff controlled one of the joint task groups while the other was detached to COMNAV SOUTH HQ in Naples. Some 74 000 challenges were issued, almost 6000 ships were inspected at sea, and more than 1400 were diverted and inspected in port. Six ships were caught while attempting to break the embargo.
• **WEU Danube operation**

Following an extraordinary meeting of the WEU Council of Ministers in Luxembourg on 5 April 1993, it was agreed that WEU Member States would provide assistance to Bulgaria, Hungary and Romania in their efforts to enforce the UN sanctions on the Danube. In June, the three riparian states accepted this offer, and agreed with WEU on the setting-up of a police and customs operation.

Some 250 WEU personnel were involved when the operation was at its height. They manned a co-ordination and support centre and three control areas (Mohacs-Hungary; Calafat-Romania; Ruse-Bulgaria). Equipped with eight patrol boats and 48 vehicles, WEU personnel carried out 6748 inspection and monitoring operations resulting in the discovery of 422 infringements.

This operation was a practical example of concrete cooperation with the Associate Partners, within WEU, and of OSCE-WEU co-ordination, through the WEU Presidency delegation to the OSCE Sanctions Co-ordination Committee in Vienna.

Following the Dayton Peace Agreements and the termination of the UN arms embargo, the Adriatic and Danube operations were wound up.
• **Police contingent in Mostar**

  In October 1993, a few days before the Treaty on European Union came into force, the Ministers of the EC Member States requested WEU to examine the contribution WEU could make to the planned EU administration of the town of Mostar in Bosnia-Herzegovina. As a result of this request, WEU contributed a police contingent to the EU Administration of Mostar, established early in July 1994. The aim of the WEU police contingent was to assist the Bosnian and Croat parties in Mostar to set up a unified police force for the town. In May 1995, the Permanent Council accepted the offer of contributions to the WEU police force element from Austria, Finland and Sweden, which enabled it to reach its maximum strength of 182 personnel during the summer.

  The EU Administration’s mandate ended in July 1996 and an EU Special Envoy was appointed until 31 December 1996. The WEU police contingent continued to assist him until he transferred his public order executive powers to the local authorities on 15 October 1996.

Mission in Albania

In May 1997, the WEU Council decided to send a Multinational Advisory Police Element to Albania, as part of the efforts undertaken in that country by the international community, notably the OSCE and the EU. The primary aim of MAPE was to provide advice and train instructors.

A key part of MAPE’s work was to provide advice to the Ministry of Public Order on restructuring the Albanian police. A new State Police Law was drawn up with MAPE’s support and contained the foundations for building a democratic police to internationally accepted standards.

Approximately 3000 police officers were trained in the Tirana Training Centre (Police Academy), in a second training centre in Durres and through field training programmes.

On 2 February 1999, the WEU Council approved plans for an enhanced MAPE mission with a mandate until April 2000. This mission was conducted by WEU at the request of the EU on the basis of an Article J.4.2 decision, enabling among other things a major part of the costs to be met from the EU budget.
• MAPE enhanced its geographical coverage and increased its operational mobility. The mission expanded its training and advice to selected ministries, directorates and "low risk" police districts down to the operational unit level. MAPE’s strength was approximately 143 by mid-1999.

• WEU’s mission played an important role during the Kosovo refugee crisis from April 1999 by supporting the Albanian police in their responsibilities for receiving, registering, supervising and escorting refugees. MAPE maintained constant contacts with the Ministry of Public Order. WEU assisted the Albanians in setting up their own joint crisis centre and a 24-hour MAPE presence was provided to support them in its operations and decisions.
• MAPE teams were dispatched to Kukes, near the Kosovo border, to assist the police directorate there, as well as to the police directorates in Tirana and Durres.
• The MAPE mission finally terminated on 31 May 2001.
• **WEU Demining Assistance Mission in Croatia**
• At the request of the EU on the basis of Article J.4.2 of the Treaty on European Union, WEU implemented a joint action in the field of mine clearance. Within the framework of the WEU Demining Assistance Mission to Croatia (WEUDAM), which began operations on 10 May 1999, WEU provided advice, technical expertise and training support to the Croatian Mine Action Centre (CROMAC) in the areas of programme management, planning and project development, geographic information systems, and level II surveys. Sweden acted as lead nation for this nine-strong mission. The mission was funded by the EU. The WEUDAM mission terminated on 30 November 2001.
• **General security surveillance mission in Kosovo**

  In response to a request from the European Union based on Article J.4.2 of the Treaty on European Union, in November 1998 the WEU Satellite Centre embarked on a mission of "general security surveillance" of the Kosovo region.

  The initial focus of the general security surveillance mission was to gather information for the EU as well as the NATO and OSCE missions on the state of implementation of the Belgrade agreements dated 15 and 16 October as well as on the situation of refugees and displaced persons and the related infrastructure. The mission of general security surveillance was conducted in close co-ordination with the WEU Military Staff, which provided additional information for each of the Satellite Centre reports transmitted to the EU, NATO and OSCE.
With the changed situation in Kosovo, with KFOR troops and other representatives of the international community on the ground, the Satellite Centre concentrated its work from July 1999 on the finalisation of a geographic information system (GIS) on Kosovo. The GIS was a digital map of the entire Kosovo region with visualisation and analysis tools and could be used to assist in several aspects of reconstruction work (including demining) in Kosovo. In July 1999, this system was also made available to the Geneva International Centre for Humanitarian Demining (GICHD).
References


